

Department of Permits Approvals and Inspections  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
Baltimore County, Maryland

In the Matter of

Civil Citation No. 86233

Wayne E Wareheim

5700 Kenwood Avenue

Respondent

FINDINGS OF FACT AND CONCLUSIONS OF LAW  
FINAL ORDER OF THE ADMINISTRATIVE LAW JUDGE

This matter came before the Administrative Law Judge on April 13, 2011 for a Hearing on a citation for violations under the Baltimore County Code (BCC) section 35-5-302 (b)(1), failure to complete roof repairs; section 35-5-302 (b)(5), failure to repair exterior surfaces (siding); Baltimore County Zoning Regulations (BCZR) section 431, failure to remove commercial truck from residence on residential property.

On March 8, 2011, pursuant to § 3-6-205, Baltimore County Code, Inspector Ryan Fisher issued a Code Enforcement & Inspections Citation. The citation was sent to the Respondent by 1<sup>st</sup> class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$10,400.00 (two thousand four hundred dollars).

The following persons appeared for the Hearing and testified: Wayne E. Wareheim, Respondent and Ryan Fisher, Baltimore County Code Enforcement Officer.

Testimony revealed that the Respondent is guilty of failing to complete roof repairs to his property and to provide proper siding on his dwelling. Mr. Wareheim, owner of the property stated that the property is in foreclosure at this time and that he did not want to sink more money into the property if he is not able to refinance and keep the property. Mr. Wareheim was born on this property having acquired the property from his parents. He stated that he has finished the roof repairs and intends to finish the side of the house that is visible to Kenwood Avenue. Inspector Fisher recommended, given the financial straights of the Respondent, that the penalty of \$10,400 be suspended pending resolution of the remaining repairs.

Having heard the testimony and evidence presented at the Hearing:

IT IS ORDERED by the Administrative Law Judge that a civil penalty be imposed in the amount of \$10,400.00 (ten thousand four hundred dollars).

IT IS FURTHER ORDERED that the \$10,400.00 civil penalty be suspended.

IT IS FURTHER ORDERED that the remaining \$10,400.00 will be imposed if the property is not brought into compliance within a reasonable time as determined by Inspector Fisher.

IT IS FURTHER ORDERED that should the penalty be imposed and if not paid within thirty days of billing, the civil penalty AND any expenses incurred by Baltimore County, as authorized above, shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 25<sup>th</sup> day of April 2011

Signed: ORIGINAL SIGNED  
Timothy M. Kotroco  
Administrative Law Judge

**NOTICE TO RESPONDENT:** The Respondent is advised that pursuant to §3-6-301(a) of the Baltimore County Code, the Respondent may appeal this order to the Baltimore County Board of Appeals within fifteen (15) days from the date of this order; any such appeal requires the filing of a petition setting forth the grounds for appeal, payment of a filing fee of \$150 and the posting of security in the amount of the penalty assessed.